

**FLATHEAD COUNTY PLANNING BOARD  
MINUTES OF THE MEETING  
JANUARY 13, 2016**

**CALL TO  
ORDER**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. at the Earl Bennett Building, Conference Rooms A and B, 1035 1<sup>st</sup> Ave W, Kalispell, Montana. Board members present were Marie Hickey-AuClaire, Kevin Lake, Ron Schlegel, Dean Sirucek, Jim Heim, Mike Horn and Greg Stevens. Jeff Larsen had an excused absence. Mark Mussman, Rachel Ezell and Lawson Moorman represented the Flathead County Planning & Zoning Office.

There was one member of the public in attendance.

**APPROVAL OF  
MINUTES  
(6:01 pm)**

Stevens made a motion, seconded by Sirucek to approve the December 9, 2015 meeting minutes.

The motion passed by quorum.

**ELECTION OF  
OFFICERS**

Lake nominated and Heim seconded Larsen for Vice-Chair.

Stevens nominated and Schlegel seconded Heim for Vice-Chair.

Heim respectfully declined.

On a roll call vote Larsen was elected Vice-Chair 6-1 with Stevens dissenting.

Stevens nominated and Schlegel seconded Hickey-AuClaire for Chair.

On a roll call vote Hickey-AuClaire was elected Chair unanimously.

**PUBLIC  
COMMENT  
(not related to  
agenda items)  
(6:07 pm)**

None.

**SHELLEY  
PIERSON  
(FZC-15-08)  
(6:07 pm)**

A zone change request by Marquardt and Marquardt Surveying, Inc., on behalf of Shelley Pierson in the Evergreen Zoning District. The proposal would change the zoning on a parcel containing approximately 0.8 acres from R-2 (One Family Limited

Residential) to R-3 (One Family Limited Residential). The subject property is located at 180 Birch Drive.

**STAFF REPORT** Ezell reviewed Staff Report FZC-15-08 for the Board.

**BOARD QUESTIONS** Schlegel asked about the subdivision located south of the subject property and what the zoning on that property was.

Ezell replied Subdivision #214 was a single lot split and was zoned R-2. She pointed out on the map the current zoning in the surrounding area.

**APPLICANT PRESENTATION** Shelley Pierson, 181 Park Avenue, stated the property she currently lives on borders the subject parcel she is asking to be re-zoned. She said the staff presentation covered everything and the only reason she was re-zoning the property was because when she originally bought it her intent was to clean it up as it was a very run-down piece of property. She gave a brief history of improvements she had made and how she was misled by her contractor when she constructed a shop and apartment in addition to the principle dwelling. She needed to make it a legal conforming use and was asking for the zone change in order to potentially subdivide the property and have each dwelling on a separate lot.

**BOARD QUESTIONS** Stevens asked about the size of the apartment that was attached to the shop.

Pierson said the shop was 48' x 60' and had an 1100 square foot apartment on the side of it. The reason she was not legal was because the house in the front of the property was 1600 square feet so the apartment could only be 900 square feet.

Stevens and Pierson discussed setbacks and the size of the accessory dwelling.

Sirucek wanted clarification and asked if Pierson would split the property only one time.

Pierson said there would only be one split.

Schlegel stated with the buildings there it would not be feasible to do more than one split.

<b>AGENCY COMMENTS</b>	None
<b>PUBLIC COMMENT (6:18 pm)</b>	None
<b>APPLICANT REBUTTAL</b>	None
<b>STAFF REBUTTAL</b>	None
<b>MAIN MOTION TO ADOPT F.O.F. (FZC-15-08)</b>	Sirucek made a motion seconded by Horn to adopt staff report FZC-15-08 as findings-of-fact.
<b>BOARD DISCUSSION</b>	None
<b>ROLL CALL TO ADOPT F.O.F. (FZC-15-08)</b>	On a roll call vote the motion passed unanimously.
<b>BOARD DISCUSSION</b>	None
<b>MAIN MOTION TO RECOMMEND APPROVAL (FZC-15-08)</b>	Schlegel made a motion seconded by Sirucek to adopt Staff Report FZC-15-08 and recommend approval to the Board of County Commissioners.
<b>BOARD DISCUSSION</b>	None
<b>ROLL CALL TO RECOMMEND APPROVAL (FZC-15-08)</b>	On a roll call vote the motion passed unanimously.
<b>BOARD DISCUSSION</b>	None

**OLD BUSINESS**  
**(6:19 pm)**

None

**NEW BUSINESS**  
**(6:20 pm)**

Mussman informed the Board that the commissioners had approved the Evergreen Enterprise Overlay and it was now awaiting the 30 day protest period to end before it could be officially adopted. He handed out proposed revisions to the Flathead County Floodplain Regulations and the initial draft for updating the Flathead County Lakeshore Regulations for their review and discussion at a future meeting.

He clarified the formatting and explained the reason behind updating each of the regulations. The changes to the floodplain regulations are going to be a major revision. He said the state was encouraging counties to adopt the state model regulations but the formatting was vastly different from the current Flathead County regulations. The language and how the county will administer the regulations would not change. He would be available to meet with board members to answer questions at any time and hoped the board could discuss both projects at the next meeting to come up with a course of action to move forward with them. He stated both of the projects were on the FY16 strategic plan.

Schlegel asked if staff had compared the Flathead County Lakeshore Regulations with the Whitefish Lakeshore Regulations.

Mussman said the additional language in the preliminary draft shows text and critiques from the Whitefish regulations and are highlighted in the right hand margin.

The board discussed how they would proceed with the updates. They will discuss a 'game plan' at the next regular meeting and proceed from there.

Mussman commented the only other item on the list of projects for this fiscal year was the transitional zoning along Highway 93 just south of Whitefish. He will be meeting with Dave DeGrandpre next week and will keep the board informed.

Stevens asked about staffing in the planning office.

Mussman said we are currently advertising for a replacement for Moorman. He also said Donna Valade is training to review

floodplain and lakeshore permits and in the coming months would be up to speed on both the floodplain and lakeshore regulation revisions.

The board thanked Moorman for all his work.

**ADJOURNMENT** The meeting was adjourned at approximately 6:34 pm. on a motion by Sirucek. The next meeting will be held at 6:00 p.m. on February 10, 2016.

  
Marie Hickey-AuClaire, Chairman

  
Mary Fisher, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 02 / 10 / 16